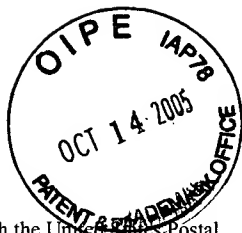


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PATENT

Attorney Docket No.: 020375-004010US

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By: Bonne Pickles

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Keith W. Diveley et al.

Application No.: 09/990,702

Filed: November 9, 2001

For: ELECTRONIC IDENTIFIER
PAYMENT SYSTEM AND METHODS

Customer No.: 20350

Confirmation No. 4413

Examiner: James A. Reagan

Technology Center/Art Unit: 3621

AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is proposed in order to put the claims in proper form for consideration on appeal, and is being filed concurrently Applicants' Brief under 47 CFR §41.37.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

1

Application Number

09/990,702

Filing Date

November 9, 2001

First Named Inventor

Keith W. Diveley et al.

Art Unit

3621

Examiner Name

James A. Reagan

Attorney Docket Number

020375-004010US

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply

After Final (Amendment
under 37 CFR 1.116)

Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Return Postcard

Certified Copy of Priority
Document(s)Reply to Missing Parts/ Incomplete
ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Stephen F. Jewett

Date

October 14, 2005

Reg. No.

27,565

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name

Bonnie Rickles

Date

October 14, 2005